

MONROE PORT COMMISSION
REGULAR MEETING MINUTES
Wednesday, August 20, 2014 - 7:00 p.m.
2929 E. Front Street - Monroe MI 48161

1. Call to Order: 7:01 p.m.
2.

<u>Members Present:</u> Thomas A. Krzyston, Chairman Dale H. Brose, Vice Chairman Kenyon S. Calender, Secretary Thomas G. Myers, Commissioner	<u>Members Excused:</u> Lisa M. Leachman
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Others Present:
Paul C. LaMarre III, Port Director
John J. Emig, Jr., Port Engineer
Matthew D. Budds, Port Legal Counsel
John Iacoangeli, City Council Liaison
Dan Swallow
Richard Micka
Anthony Gray
3. Additions/Deletions to the Meeting Agenda: On a motion by Vice Chairman Brose and supported by T. Myers, the Meeting Agenda was amended to add Item 6.8 to the Consent Agenda entitled: Recommendation to City Council to approve MDOT City of Monroe Contract for the Weather Observation & Data Dissemination System at the Monroe Custer Airport in Monroe, Michigan 48162, to enhance aviation safety & efficiency: Ayes 4; Nays 0. Motion Passed.
4. On a motion by Vice Chairman Brose and supported by T. Myers, the Meeting Agenda was approved, as amended: Ayes 4; Nays 0. Motion passed.
5. Public Comment: Public Comment was passed to a later time in the meeting.
6. On a motion by T. Myers and supported by Secretary Calender, the Consent Agenda was approved. Ayes 4; Nays 0. Motion passed.
 - 6.1 Approve and place on file Port of Monroe Expenditures - Order 0411 July 31, 2014 through August 20, 2014.
 - 6.2 Approve and place on file Regular Meeting Minutes of Wednesday, July 30, 2014.
 - 6.3 Approve and authorize Johnson & Anderson Invoice 37641
Application period: Services through August 4, 2014
Amount due: \$9,300.00.
Project: Engineering Services related to FRA grant application
Funding Source: FRA # FR-LRI-0032-12-01-00
 - 6.4 Approve and authorize payment of Contractor's Application for Payment No. 3:
Contractor: Armond Cassil Railroad Construction, Inc.
Application period: June 16, 2014 - July 31, 2014
Project: Ventower Rail Spur
Amount due this Application: \$174,574.90
Funding Source: FRA # FR-LRI-0032-12-01-00
 - 6.5 Authorize Cassill Railroad Construction Change Order No. 3 a reduction of \$27,440.

Consent Agenda cont.:

- 6.6 Authorize conditional Contractor's Application for Payment No. 4.
Contractor: Armond Cassil Railroad Construction, Inc.
Application period: Services through August 12, 2014.
Amount due this application: \$64,413.10 - pending Engineer's approval
(outstanding items include delivery of transitional rails, CN letter or approval,
Consent of Surety, Final Sworn Statement).
Project: Ventower Rail Spur
Funding Source: FRA # FR-LRI-0032-12-01-00
- 6.7 Approve renewal of I.T. Right Annual Unlimited Service Contract from
September 1, 2014 / August 31, 2015 - total \$2,075.
- 6.8 Recommendation to City Council to approve MDOT City of Monroe Contract
for the Weather Observation & Data Dissemination System at the Monroe
Custer Airport in Monroe, Michigan 48162, to enhance aviation safety &
efficiency.

7. Unfinished Business:

7.1 Election of Officers.

On a nomination made by T. Myers and supported by Secretary Calender,
Vice Chairman Brose was nominated for the office of Chairman. A roll call
vote was conducted: Vice Chairman Brose, Aye; Secretary Calender, Aye; T.
Myers, Aye; Chairman Krzyston, Abstain.
Vice Chairman Brose was elected Chairman.

On a nomination made by Chairman Brose and supported by Secretary
Calender, T. Myers was nominated for the office of Vice Chairman. A roll call
vote was conducted: Chairman Brose, Aye; Secretary Calender, Aye;
T. Myers, Aye; T. Krzyston, Aye.
T. Myers was elected Vice Chairman.

On a nomination made by Vice Chairman Myers and supported by Chairman
Brose, Secretary Calender was nominated for the office of Secretary. A roll
call vote was conducted: Chairman Brose, Aye; Vice Chairman Myers, Aye;
Secretary Calender, Aye; T. Krzyston, Aye.
Secretary Calender was elected Secretary

- 7.2 The Suspense Calendar was reviewed and updated. During the updating of
the Suspense Calendar, the Port Director requested that Attorney Budds
update the status of communication with Jack's Lawn Service Inc.
Attorney Budds reported that correspondence was sent to Jack's Lawn
Service in accordance with the direction provided at the last meeting.
Attorney Budds received telephone communication for an attorney
representing Jack's Lawn Service, Inc. Jack Lawn Service, Inc.'s counsel
indicated to Attorney Budds that written correspondence would be
forthcoming and that Jack's Lawn Service, Inc. is continuing to search for
land. The Port Director indicated that the lack of a formal agreement is
problematic for the Port. Vice Chairman Myers indicated that the process
needs to move toward an end result. Attorney Budds was directed to prepare
a draft complaint and to forward the draft to counsel for Jack's Lawn Service,
Inc.

8. New Business:

- 8.1 On a motion made by Vice Chairman Myers and supported by Secretary Calender to approve Confidentiality Agreement between the Port of Monroe and Employees, the Confidentiality Agreement was approved:
Ayes: 4; Nays 0

9. Staff Reports:

- Paul C. LaMarre III:
Worked closely with DRM and T. Gray to accomplish the first export of bulk material from the Port in decades. Discussed the process and mentioned the photographs of the loading and transportation process. Commented that the export was the result of two years of ongoing work. Offered congratulations to DRM and T. Gray on the entire project, specifically on the attention to environmental and regulatory issues

Described that the Ventower Rail Spur project is nearly completed and offered congratulations to J. Emig and W. Popp on that project.

Welcomed comments from T. Gray

T. Gray:

Described the loading process and the positive experience for DRM, the vessel crew, and the Port. Discussed the critical nature the riverfront dock for future operations. Described the measures taken and equipment used to ensure that the bulk product was handled appropriately. Described the investment that DRM is willing to make in a continued relationship with the Port.

- John J. Emig, Jr.
Described the ongoing dialogue with the Michigan DEQ. Discussed the dialogue with City Engineer P. Lewis concerning storm water. Discussed DRM's responsiveness to the concerns express by J. Emig.

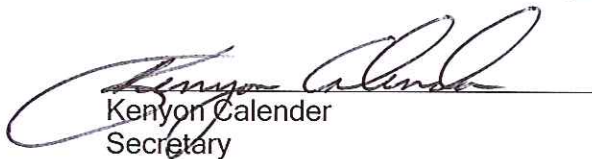
Indicated that the final paperwork concerning the Ventower Rail Project is in progress and anticipated in the very near future. Stated that he will need to discuss the project with Attorney Budds regarding easement issues.

- Matthew D. Budds:
Referred to the earlier report on Jack's Lawn Service, Inc. and the agenda item concerning the Confidentiality Agreement.

10. Other Business that may come before the Port Commission:
The Port Director distributed flyers regarding the antique boat show and related events that will be held in Toledo. The Port Director described the related visit of the Brig Niagara to the Port.

D. Swallow indicated that a pre-bid meeting has been held regarding the pump house. Bids are due on September 3, 2014.
11. Port Commissioners Comment:
Chairman Brose acknowledged the service of T. Krzyston in the office of Chairman; T. Krzyston requested that no further comments be offered.
13. Adjournment: 7:50 p.m.

These minutes are not considered official until approved by the Monroe Port Commission at their next regular scheduled meeting, Wednesday, September 17, 2014.


Kenyon Calender
Secretary

9-17-14
Date